

# BOARD REPORT

STATE BOARD OF CHIROPRACTIC EXAMINERS P.O. Box 672 JEFFERSON CITY, MO 65102 VOL. 7, ISSUE 1 SEPTEMBER 2000

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The Honorable Mel Carnahan

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## Division of Professional Registration

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## Use of Ultrasound and Traction Not Appropriate in Treating Children

The Board recently reviewed the practice of utilizing ultrasound and traction in treating children. In order to determine whether these techniques were appropriate treatments for children, the Board queried chiropractic colleges as well as other colleges offering degree programs in physical therapy. The Board also contacted the distributor of ultrasound equipment to determine if the company was marketing the equipment as appropriate for use on children.

Based on all the information available, the Board determined that use of ultrasound, including non-thermal pulsed ultrasound, is inappropriate on a child under the age of 10. The Board further determined that the use of traction including inter-segmental traction for children under the age of 12 was contraindicated.

If you are performing any form of ultrasound or traction on children under the minimum ages, you should cease and desist from such practice immediately.

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# Year In Review

## President's Message



Mary Holyoke, D.C.  
Board President

During the past year, the State Board of Chiropractic Examiners has sought to ease the burden of regulation on the licensee while accomplishing its mission to protect the public from incompetent, negligent, fraudulent or dishonest service provided by Missouri chiropractic physicians. Here are some highlights of the changes during the year.

### Continuing Education Requirements

At its December 1999 Board meeting the Board members voted unanimously to amend the continuing education requirements for chiropractors. In order to renew, the licensee is still required to obtain 24 hours of continuing education annually, however, the Board eliminated the required alternation between boundary training or emergency procedures every third year with HIV or infectious diseases. Effective immediately, the licensee can obtain 4 of the 24 continuing education hours in boundary training, emergency procedures, HIV or infectious diseases. The Board felt it would be much less confusing for the licensee, the continuing education sponsors, as well as the Board staff. It is also anticipated that it will reduce the cost for the licensee and the CE sponsors by making it easier, understandable, and accessible for everyone.

### Professional Corporation Names

Also in December, the Board voted to change the name restrictions for professional corporations. As the chiropractic profession continues to evolve, the Board felt that requiring a professional corporation/clinic name to contain a chiropractic term was unfair and placed an undue burden on the licensee. While the ethical principles remain fundamentally unchanged, the Board believes that the rules and regulations need to reflect the continual changes in the health care profession.

As a result, the Board determined that a professional corporation/clinic name does not have to include a chiropractic term so long as the clinic truly is multi disciplinary. A professional

corporation will be considered multi disciplinary as long as the services of another licensed health care professional provides such service at least twenty (20) hours per month. Other licensed health care professionals are defined as:

1. A podiatrist licensed pursuant to the provisions of Chapter 330, RSMo;
2. A dentist, dental specialist or dental hygienist licensed pursuant to the provisions of Chapter 332, RSMo;
3. A physician, a surgeon, whether medical doctor or doctor of osteopathy, or a professional physical therapist licensed pursuant to the provisions of Chapter 334, RSMo;
4. A registered professional nurse, practical nurse or registered nurse licensed pursuant to the provisions of Chapter 335, RSMo;
5. An optometrist licensed pursuant to the provisions of Chapter 336, RSMo;
6. A psychologist licensed pursuant to the provisions of Chapter 337, RSMo; or
7. A pharmacist licensed pursuant to the provisions of Chapter 338, RSMo.

**While the restrictions on professional corporation/clinic names have changed, individual chiropractors within the professional corporation must continue to comply with the statute by ensuring that their own credentials are clearly identified in any advertisement, solicitation, sign, letterhead, or any other method of addressing the public.**

### Biennial Renewal

As reported in the last newsletter, the Board will be going to a biennial renewal. The rule changes have been submitted and should go into affect later this year. Please note the upcoming dates and changes:

- Regular annual renewals will be mailed in December 2000. Licenses renewed during this cycle will expire February 28, 2002. The cost for renewal will be \$150.00.
- Biennial renewals will be mailed in December 2001. Licenses renewed during this cycle will expire February 29, 2004. The cost for renewal will be \$300.00.

**Continuing education credits must still be accumulated at the same rate currently required.**

# Acupuncturist Advisory Committee

During the 1998 legislative session, House Bill 1601 passed which established the Acupuncturist Advisory Committee. The Committee is made up of 5 members - 3 acupuncturists, 1 member of the State Board of Chiropractic Examiners and 1 public member. The Committee is responsible for reviewing applications for licensure, advising the Board on matters pertaining to licensing of acupuncturists; reviewing all complaints and investigations; recommending for prosecution violations of law; and assisting the Board as needed and requested. The Committee was appointed in December 1999 and has met twice since that time.

The Committee has drafted the proposed rules and regulations and the Board recently reviewed and approved the proposals.

After review by the Division and the Department, the rules will be submitted to the Secretary of State and the Joint Committee on Administrative Rules to begin the formal rule making process. It is the Committee's desire to begin licensing acupuncturists by late 2001.



## MTAA Certification

With the creation of the Missouri Acupuncturist Advisory Committee, the Board has been requested to clarify the advertising requirements for those chiropractors certified to perform Meridian Therapy/Acupressure/Acupuncture. Please note that a licensee certified by the Board to perform MTAA, must clearly identify their credentials in all advertisements or solicitations for acupuncture services indicating that they are certified to perform these services. No licensee holding a MTAA certification may identify themselves as a "licensed acupuncturist" unless they have obtained the appropriate license from the Acupuncturist Advisory Committee.

Licensed chiropractors certified in MTAA are not required to obtain a license from the Committee and are allowed to perform and advertise acupuncture services, however, they cannot identify themselves as a "licensed acupuncturist". Any individual advertising as a "licensed acupuncturist" in this State without obtaining the proper license from the Committee, will be deemed to have violated the laws and regulations on false, misleading or deceptive advertisement or solicitation and subject to disciplinary action.

## CE Reporting Method Changes

Effective immediately, all licensees should discontinue sending proof of CEs to the State Board office. The State Board has discontinued tracking the number of continuing education hours for each licensee.

Now licensees are personally responsible for maintaining proof of CE hours for the two previous and the current reporting periods. Licensees remain responsible for acquiring twenty-four (24) hours of CE credit between January 1 and December 31 each year.

A random audit of a licensee's personal record of acquired CE hours will be made by the State Board of Chiropractic Examiners. Any licensee receiving notice from the Board of a CE audit will be required to show original proof of CE hours acquired for the reporting period. Failure to show proof of CE may result in discipline imposed on the license.

## Renewal Statistics

Renewals Mailed	1,886
Active Chiropractors	1,867
Insurance Consultants	52
Retired/Disabled	47
Inactivated Licenses	97

NOTE: Numbers will not equal because active chiropractors include individuals recently licensed or late renewals from prior years, so they were not included in the renewals mailed number.

## Complaint Statistics

FY98 = 7/1/97 to 6/30/98

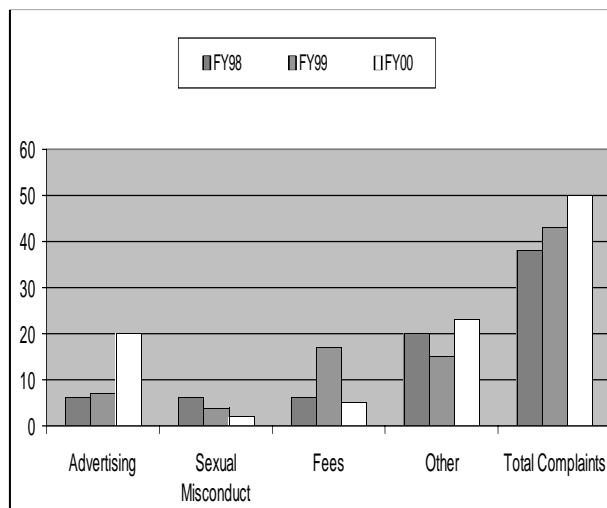
FY99 = 7/1/98 to 6/30/99

FY00 = 7/1/99 to 6/30/00

	FY98	FY99	FY00
Number of Complaints Received	38	43	51
Number of Complaints Closed	30	39	62
Number of Complaints Pending	20	29	17

	FY98	FY99	FY00
Complaints Involving Advertising	6	7	20
Complaints Involving Fees	6	17	5
Complaints Involving Sexual Misconduct	6	4	2
All Other Complaints	20	15	23

As you can see, the number of complaints received by the Board has risen steadily over the last three years. Below is a chart comparing the number and types of complaints received during this period.



## Disciplinary Actions

Under Board Rule 4 CSR 70-2.066 (1), the Missouri State Board of Chiropractic Examiners must publish or cause to be published all disciplinary actions regarding licensees, including the name of the licensee, the license number, any terms of suspension or probation, or other disciplinary action whether by consent or order. Disciplinary actions may be published in any professional journal read by licensed chiropractors practicing in Missouri, in any newspaper of general circulation, in any newsletter published by the Board, or in any of these publications. The Board has chosen to use its newsletter to comply with the provisions of this rule. Since the printing of the Board's last newsletter in December, disciplinary action has been imposed on the following licensees.

**Harold R. Bell, D.C.** License No. 6381

License suspended for three years, execution of which was stayed for the last two years together with a period of five years probation to run concurrently with suspension effective May 26, 2000, for violation of sections 331.060.2(13) and (18) RSMo 1994.

**Douglas D. Brockman, D.C.** License No. 6080

License suspended for a period of sixty days effective March 10, 2000. Immediately following the suspension, license was placed on probation for a period terminating October 1, 2000, for violation of sections 331.060.2(8), (5) and (18) RSMo 1994.

**Michael A. Vega, D.C.** License No. 2000149664

Board issued a two-year probationary license effective March 2, 2000, for violation of sections 331.060.2(1) and (2) RSMo 1994.

# Message From Division Director



Our new licensing system (PROMO) continues to dominate our lives. Besides the daily conference calls between our Information Technology folks and IFMC, a team from the Division and myself flew to Iowa for marathon meetings. Following the meetings in Iowa, the IFMC folks flew to Jefferson City. Slowly but surely, the problematic symptoms of a new system are being identified and addressed.

Reminder: With the new system, PROMO, a license number will be the year of license followed by a 6-digit number. Example: 1999134178. This is a Division-wide numbering system and will allow the Division to capture valuable licensing information on a Division-wide scale. Licenses issued prior to September 16, 1999 will still maintain their previous 4 to 6-digit number.

At the same time, we are not letting up on our program for optical imaging. We are pressing forward full speed to ensure our licensing system interfaces compatibly with our optical imaging system. Plus there are other teams meeting frequently to pursue on-line applications, renewals and license verifications.

Warmest regards,

A handwritten signature in cursive script, reading "Randy Singer".

Randall Singer  
Division Director

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## Web Sites of Interest

MO State Board of Chiropractic Examiners  
National Board of Chiropractic Examiners  
Federation of Chiropractic Licensing Boards  
Council on Chiropractic Education  
Council on Chiropractic Guidelines and Practice Parameters  
Chiro Locator  
Chiro Calendar

[www.ecodev.state.mo.us/pr/chiro](http://www.ecodev.state.mo.us/pr/chiro)  
[www.sni.net/nbce/](http://www.sni.net/nbce/)  
[www.fclb.org](http://www.fclb.org)  
[www.cce-usa.org/](http://www.cce-usa.org/)  
[www.ccgpp.org](http://www.ccgpp.org)  
[www.chiroweb.com/cgi-bin/locator](http://www.chiroweb.com/cgi-bin/locator)  
[www.chiroweb.com/cgi-bin/calendar](http://www.chiroweb.com/cgi-bin/calendar)





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## NEXT MEETING

The Board's next meeting will be held November 30, 2000, at the Missouri Division of Professional Registration in Jefferson City, Missouri.

The public is invited to attend the open session of this meeting. Continuing education credits, up to two general hours, can be earned by attending a State Board meeting.

An open agenda is available for public distribution approximately two weeks prior to the meeting.

## Have You Moved?

All licensees are required to notify the Board in writing **within 30 days** of changing their address. Not doing so may result in not receiving important information from the Board and significant penalty fees being assessed for late renewal.